



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**101ST LEGISLATIVE DAY**

**Perfunctory Session**

**WEDNESDAY, APRIL 11, 2012**

**12:00 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**101st Legislative Day**

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The Senate met pursuant to the directive of the President.  
Pursuant to Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.  
Silent prayer was observed.

**MESSAGE FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

April 11, 2012

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am scheduling a Senate Perfunctory Session to convene on Wednesday, April 11, 2012.

Sincerely,  
s/John J. Cullerton  
John J. Cullerton  
Senate President

**REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

3-Year Budget Forecast FY 2013 - FY 2015, submitted by the Commission on Government Forecasting and Accountability.

Liabilities of the State Employees' Group Health Insurance Program, submitted by the Commission on Government Forecasting and Accountability.

2011 Public Pension Report, submitted by the Department of Insurance.

Illinois State Building Energy Expense Study FY2010 and Projected FY2011-2013, submitted by the Department of Commerce and Economic Opportunity.

Streamlining Illinois' Regional Offices of Education Commission Recommendations - Executive Summary, submitted by the Illinois State Board of Education.

State Hispanic Employment Plan Survey, submitted by the Department of Human Rights.

State African American Employment Plan Survey, submitted by the Department of Human Rights.

Annual Report of Projects Funded under the Safe Routes to School Construction Program, submitted by the Department of Transportation.

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ICC 2011 Annual Report on Accidents/Incidents Involving Hazardous Materials on Railroads in Illinois, submitted by the Illinois Commerce Commission.

ICC Crossing Safety Improvement Program FY 2013-2017 Plan, submitted by the Illinois Commerce Commission.

Medical Assistance Program Annual Report, Fiscal Years 2009, 2010 and 2011, submitted by the Department of Healthcare and Family Services.

Illinois Prescription Drug Discount Program 2011 Annual Report, submitted by the Department of Healthcare and Family Services.

Fiscal Analysis of the Downstate Police and Downstate Fire Pension Funds in Illinois, 2012 Edition, submitted by the Commission on Government Forecasting and Accountability.

Women and Minorities in the Illinois Labor Force 2012 Annual Report, submitted by the Department of Employment Security.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

#### **LEGISLATIVE MEASURES FILED**

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 1 to Senate Bill 2621

The following Floor amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 1 to House Bill 735

#### **MESSAGES FROM THE PRESIDENT**

#### **OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

March 30, 2012

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish April 26, 2012 as the 3<sup>rd</sup> Reading deadline for the following Senate Bills:

171,181 thru 184, 230, 231, 275, 279, 280, 350, 351, 407, 546, 548, 550, 553 thru 556, 636, 637, 679, 952, 966, 968, 1076 thru 1079, 1135, 1197, 1198, 1202 thru 1205, 2509, 2527, 2534, 2548, 2581 thru 2635, 2637 thru 2642, 2644 thru 2777, 2779 thru 2795, 2885, 2895, 2900, 2915, 2972 thru 2977, 2979, 2981 thru 2992, 2994 thru 2998, 3000 thru 3021, 3023 thru 3046, 3048 thru 3060, 3062 thru 3100, 3102

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thru 3136, 3138 thru 3145, 3167, 3232, 3234, 3253, 3259, 3277, 3280, 3329, 3332, 3334, 3348, 3362, 3387, 3394, 3404, 3478, 3511, 3512, 3667, 3796, 3803, and 3812.

In addition, I hereby establish April 26, 2012 as the Committee and 3<sup>rd</sup> Reading deadline for the following Senate Bills: 1565, 1881, 2521, 2525, 2532, 2540 thru 2544, 2546, 2551, 2554, 2862, 2871, 2878, 2879, 2880, 2881, 2894, 2943, 3155, 3175, 3230, 3235, 3239, 3269, 3271, 3326, 3357, 3371, 3427, 3482, 3483, 3485, 3486, 3520, 3558, 3610, 3611, 3623, 3627, 3628, 3688, 3715, 3723, 3728, 3739, 3759, 3773, 3807, 3808, 3825, and 3827.

Sincerely,  
s/John J. Cullerton  
John J. Cullerton  
Senate President

cc: Senate Republican Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

April 6, 2012

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish April 26, 2012 as the 3<sup>rd</sup> Reading deadline for the following Senate Bills:

3564

In addition, I hereby establish April 26, 2012 as the Committee and 3<sup>rd</sup> Reading deadline for the following Senate Bills:

2914 and 2932

Sincerely,  
s/John J. Cullerton  
John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

April 11, 2012

Mr. Tim Anderson  
Secretary of the Senate

[April 11, 2012]

Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Donne Trotter to temporarily replace Senator James Clayborne as Chairman of the Senate Committee on Assignments. In addition, I hereby appoint Senator Ira Silverstein to temporarily replace Senator Don Harmon and Senator Toi Hutchinson to temporarily replace Senator Kimberly Lightford as members of the Senate Committee on Assignments. These appointments will automatically expire, upon adjournment of the Senate Committee on Assignments.

Sincerely,  
s/John J. Cullerton  
John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 698**

Offered by Senator Trotter and all Senators:  
Mourns the death of the Reverend Addie Wyatt.

**SENATE RESOLUTION NO. 699**

Offered by Senator Link and all Senators:  
Mourns the death of Donna K. Zwolski of Grayslake.

**SENATE RESOLUTION NO. 700**

Offered by Senator Link and all Senators:  
Mourns the death of John L. Grampovnik of North Chicago.

**SENATE RESOLUTION NO. 701**

Offered by Senator Lauzen and all Senators:  
Mourns the death of Michael Charles Demitriu of Lombard.

By direction of the Secretary, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator Raoul offered the following Senate Resolution, which was referred to the Committee on Assignments:

**SENATE RESOLUTION NO. 702**

WHEREAS, National Medical Laboratory Professionals Week (NMLPW) is celebrated annually to recognize the vital role in health care of more than 300,000 medical laboratory professionals and 15,000 board-certified pathologists; and

WHEREAS, NMLPW has been observed since 1975; the week honors the dedication and commitment of laboratory professionals to quality patient care; and

WHEREAS, The American Society of Clinical Pathologists (ASCP), in order to maintain both academic and clinical competency in the field, has certified more than 450,000 individuals since its inception; and

WHEREAS, The ASCP Board of Certification (formerly the ASCP Board of Registry) was founded

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in 1928 and is recognized as the leader in certifying medical laboratory professionals by offering more than 20 different examinations for technicians, technologists, specialists, and diplomates in laboratory management; and

WHEREAS, Laboratory professionals, including pathologists, medical technologists, cytotechnologists, histotechnologists, medical technicians, phlebotomists and histological technicians, and cytogeneticists and cytopathologists, are well-educated and highly trained specialists who perform, evaluate, and report the results of laboratory tests in order to detect and diagnose disease and to monitor treatment; and

WHEREAS, Laboratory test results comprise 70% of a patient's medical record, and collaboration between laboratories provides a comprehensive record of the patient; and

WHEREAS, More than 10 billion laboratory tests are performed annually in the United States; and

WHEREAS, Laboratory professionals at the University of Chicago Department of Medicine and other quality institutions work behind the scenes of patient care; their expertise and use of state-of-the-art technology are critical components of the health care team that diagnoses diseases, selects treatments, and saves lives; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the week of April 22-28, 2012 as "Medical Laboratory Professionals Week" in the State of Illinois; and be it further

RESOLVED, That we encourage the people of Illinois to observe Medical Laboratory Professionals Week by recognizing the vital role of medical laboratory professionals to the delivery of quality health care services; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the University of Chicago Medical Laboratory Professionals.

Senator Maloney offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

#### **SENATE JOINT RESOLUTION NO. 69**

WHEREAS, The State's Monetary Award Program (MAP) is one of the largest and most successful need-based, student financial aid program in the United States; and

WHEREAS, The award size of MAP grants and their historic, student-focused nature have enabled students of need to attend the college or university that best suits their educational needs; and

WHEREAS, MAP grant recipients are able to achieve their potential through education, something that our State holds in the highest value; and

WHEREAS, MAP grants are limited in the amount of funds that can be appropriated for them each fiscal year, and the General Assembly and Governor are seeking additional ways to improve the performance of these grants by asking more of the grant recipients and the institutions they choose to attend; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Illinois Student Assistance Commission shall convene a task force to deliberate options for the adoption of new rules for the Monetary Award Program (MAP), with the goal of improving the outcomes for students who receive these awards; and be it further

RESOLVED, That the task force shall include without limitation the following:

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- (1) one representative of Illinois public universities;
- (2) one representative of Illinois public community colleges;
- (3) one representative of Illinois non-profit, private colleges and universities;
- (4) one representative of Illinois proprietary institutions;
- (5) one representative of an association of financial aid administrators;
- (6) one student who is currently receiving a MAP grant;
- (7) one representative of the Illinois Community College Board;
- (8) one representative of the Board of Higher Education;
- (9) one representative of the Office of the Lieutenant Governor; and
- (10) the Executive Director of the Illinois Student Assistance Commission, who shall serve as chairperson of the task force, and one other representative of the Illinois Student Assistance Commission; and be it further

RESOLVED, That members of the task force shall be appointed by the Executive Director of the Illinois Student Assistance Commission; and be it further

RESOLVED, That the members of the task force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds available for that purpose; and be it further

RESOLVED, That the Illinois Student Assistance Commission shall provide administrative and other support to the task force; and be it further

RESOLVED, That the task force shall hold public meetings and seek input from students and additional stakeholders; and be it further

RESOLVED, That the new rules should be created with the following goals:

- (1) to improve the partnerships between this State and institutions as they provide both financial assistance and academic support to MAP recipients;
- (2) to improve the overall effectiveness of MAP grants in helping students of need not only enter college, but to complete a degree program; and
- (3) to recognize that all colleges and universities are different, and the different natures of their student populations and their varying missions must be recognized as inherently good and valuable; and be it further

RESOLVED, That these new rules should be designed so that they do not alter, nor have an adverse impact on, an institution's mission; and be it further

RESOLVED, That the deliberations should include the following concepts:

- (1) institutional eligibility for MAP grants may, in the future, become based in part on an institution's ability to improve its MAP-grant students' progress towards a degree or its MAP-grant degree completion rate;
- (2) a student's eligibility for a MAP grant may, in the future, become based in part on that student's ability to demonstrate that he or she is achieving academic success and making progress; and
- (3) an institution's eligibility for MAP grants may, in the future, become based in part on its ability to demonstrate that it is a partner with this State and the institution is providing financial aid to students from its own resources; and be it further

RESOLVED, That to provide adequate time for the creation and implementation of new measurement and performance systems, the new systems should not become eligibility criteria for MAP funds prior to the Fiscal Year 2015 budget; and be it further

RESOLVED, That the task force shall complete its work and report its findings and recommendations to the General Assembly no later than January 1, 2013; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Executive Director of the Illinois Student Assistance Commission.

[April 11, 2012]

**MESSAGES FROM THE HOUSE**

A message from the House by  
Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 4074  
A bill for AN ACT concerning regulation.  
HOUSE BILL NO. 4096  
A bill for AN ACT concerning insurance.  
HOUSE BILL NO. 5009  
A bill for AN ACT concerning regulation.  
HOUSE BILL NO. 5450  
A bill for AN ACT concerning housing.  
Passed the House, March 30, 2012.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4074, 4096, 5009 and 5450** were taken up, ordered printed and placed on first reading.

A message from the House by  
Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 4081  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 4136  
A bill for AN ACT concerning finance.  
HOUSE BILL NO. 4242  
A bill for AN ACT concerning revenue.  
HOUSE BILL NO. 4541  
A bill for AN ACT concerning State government.  
HOUSE BILL NO. 4757  
A bill for AN ACT concerning education.  
HOUSE BILL NO. 5033  
A bill for AN ACT concerning regulation.  
HOUSE BILL NO. 5111  
A bill for AN ACT concerning revenue.  
Passed the House, March 30, 2012.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4081, 4136, 4242, 4541, 4757, 5033 and 5111** were taken up, ordered printed and placed on first reading.

A message from the House by  
Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 5641  
A bill for AN ACT concerning public aid.  
HOUSE BILL NO. 5771  
A bill for AN ACT concerning certificates of good conduct and relief from disabilities.

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HOUSE BILL NO. 5880

A bill for AN ACT concerning regulation.  
Passed the House, March 30, 2012.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 5641, 5771 and 5880** were taken up, ordered printed and placed on first reading.

A message from the House by  
Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

**SENATE JOINT RESOLUTION NO. 46**

Concurred in by the House, March 30, 2012.

TIMOTHY D. MAPES, Clerk of the House

A message from the House by  
Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

**SENATE JOINT RESOLUTION NO. 53**

Concurred in by the House, March 30, 2012.

TIMOTHY D. MAPES, Clerk of the House

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 404**, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 930**, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 4028**, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 4043**, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 4314**, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 4324**, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 4444**, sponsored by Senator Sandoval, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 4974**, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5028**, sponsored by Senator Maloney, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5336**, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

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**House Bill No. 5341**, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5616**, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5624**, sponsored by Senator Sandoval, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5655**, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 12:08 o'clock p.m., the Chair announced that the Senate stand at ease.

**AT EASE**

At the hour of 12:48 o'clock p.m. the Senate resumed consideration of business.  
The Secretary of the Senate, presiding.

**REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Trotter, Chairperson of the Committee on Assignments, during its April 11, 2012 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **House Bills Numbered 404, 3888, 4447, 4697, 5145, 5353, 5539, 5540, 5685 and 5893.**

Appropriations II: **House Bill No. 3848.**

Commerce: **House Bills Numbered 4689, 5025 and 5211.**

Criminal Law: **House Bills Numbered 3801, 3804, 4005, 4013, 4031, 4063, 4523, 4590, 4926, 4937, 4983, 5098, 5099, 5121, 5122, 5187, 5233, 5265, 5278, 5330, 5341, 5441, 5602, 5653 and 5749.**

Education: **Senate Bills Numbered 1473, 3819, 3826, 4029, 4043, 4602, 4993, 5013, 5290 and 5689.**

Energy: **House Bills Numbered 4314, 4559, 4573, 4761 and 5071.**

Environment: **House Bills Numbered 4119, 4526, 4986, 5195 and 5642.**

Executive: **House Bills Numbered 3923, 4324, 4521, 4568, 4570, 4592, 4596, 4606, 4674, 4966, 4991, 5078, 5203, 5207, 5288, 5547 and 5877.**

Financial Institutions: **House Bills Numbered 3935, 3985 and 4748.**

Gaming: **House Bill No. 4466.**

Higher Education: **House Bill No. 4116.**

Human Services: **House Bills Numbered 3915, 3986, 4003, 4037, 4129, 4563, 4566, 4990, 5007, 5485, 5592 and 5679.**

Insurance: **House Bills Numbered 5047, 5109 and 5478.**

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Judiciary: **House Bills Numbered 3806, 3887, 3950, 3960, 4190, 4615, 4663, 4687, 4749, 5062, 5190, 5221, 5266, 5314, 5434, 5823 and 5922.**

Labor: **House Bills Numbered 411, 4177, 5201, 5212 and 5336.**

Licensed Activities: **House Bills Numbered 4126, 4479, 4496, 4520, 4665, 5104, 5359, 5548 and 5752.**

Local Government: **House Bills Numbered 4145, 4514, 4545, 4562, 4715, 4753, 4962, 4988, 5236, 5319, 5635, 5730 and 5899.**

Pensions and Investments: **House Bills Numbered 3865, 4622, 4666, 4996, 5210, 5495 and 5791.**

Public Health: **House Bills Numbered 4453, 4548, 4901, 4968, 5050, 5134, 5142, 5193, 5528, 5655 and 5682.**

Revenue: **House Bills Numbered 3934, 5283, 5342, 5362, 5440, 5549 and 5616.**

State Government and Veterans Affairs: **House Bills Numbered 2562, 4050, 4139, 4442, 4492, 4510, 4531, 4569, 4586, 4601, 4682, 4707, 5003, 5006, 5023, 5189, 5234, 5321, 5337, 5444, 5452, 5587, 5632, 5650 and 5656.**

Transportation: **House Bills Numbered 3875, 3948, 3972, 3982, 4022, 4078, 4440, 4444, 4468, 4598, 4691, 4692, 4862, 4863, 4982, 5021, 5056, 5101, 5180, 5624 and 5780.**

Senator Trotter, Chairperson of the Committee on Assignments, during its April 11, 2012 meeting, reported the following Resolutions have been assigned to the indicated Standing Committees of the Senate:

Human Services: **Senate Resolution No. 696.**

Public Health: **Senate Resolution No. 630.**

State Government and Veterans Affairs: **Senate Resolutions Numbered 643 and 681.**

Transportation: **Senate Resolution No. 690; Senate Joint Resolution No. 63.**

Senator Trotter, Chairperson of the Committee on Assignments, during its April 11, 2012 meeting, to which was referred **Senate Bills Numbered 2404, 2406, 2410, 2411, 2415, 2417, 2418, 2420, 2421, 2422, 2423, 2425, 2426, 2427, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2438, 2439, 2440, 2441, 2442, 2444, 2445, 2446, 2447, 2448, 2451, 2452, 2453, 2455, 2459, 2460, 2461, 2463, 2464, 2465 and 2466** on July 23, 2011, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 2404, 2406, 2410, 2411, 2415, 2417, 2418, 2420, 2421, 2422, 2423, 2425, 2426, 2427, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2438, 2439, 2440, 2441, 2442, 2444, 2445, 2446, 2447, 2448, 2451, 2452, 2453, 2455, 2459, 2460, 2461, 2463, 2464, 2465 and 2466** were returned to the order of third reading.

At the hour of 12:56 o'clock p.m., pursuant to **House Joint Resolution No. 77**, the Chair announced the Senate stand adjourned until Tuesday, April 17, 2012, at 12:00 o'clock noon, or until the call of the President.

[April 11, 2012]